

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

MAIL STOP RCE

COMMISSIONER FOR PATENTS

P.O. BOX 1450

ALEXANDRIA, VA 22313-1450



Application Number	09/914,765 <i>RCE</i>
Filing Date	September 5, 2001
First Named Inventor	CHRISTENSEN, Preben et al.
Group Art Unit	1651
Examiner Name	S. SAUCIER
Attorney Docket No.	60123.000002

**This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-captioned application.**  
Request for Continued Examination (RCE) practice under 37 C.F.R. § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. Submission required under 37 C.F.R. § 1.114 (Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).)

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply, Declaration and IDS under 37 C.F.R. § 1.116 previously filed on February 27, 2004 (Any unentered amendment(s) referred to above will be entered.)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☒ Other: Response
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (including Form PTO-SB/08A and References)
- iv. ☐ Other:

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-captioned application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed three months; Fee under 37 C.F.R. § 1.17(i) required.)
- b. ☐ Other:

## 3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Fees are calculated as follows:
- |  | AMOUNT     | <input type="checkbox"/> Large Entity   | <input type="checkbox"/> Small Entity             |
|--|------------|---|---|
| i. <input checked="" type="checkbox"/> RCE BASIC FEE   | \$ 770.00  | \$ 770.00   | \$ 385.00   |
| ii. <input checked="" type="checkbox"/> EXTENSION FEES | \$ 2010.00 | One-Month \$ 110.00<br>Two-Month 420.00<br>Three-Month 950.00<br>Four-Month 1480.00<br>Five-Month 2010.00 | \$ 55.00<br>210.00<br>475.00<br>740.00<br>1005.00 |
| iii. <input type="checkbox"/> OTHER                    | \$ 0.00    | \$ 0.00   | \$ 0.00   |
- b. ☒ Check in the amount of \$ 2780.00 is enclosed. The Commissioner is hereby authorized to charge any variance between the amount enclosed and the Patent Office charges to **Deposit Account No. 50-0206**.
- c. ☒ The Commissioner is hereby authorized to charge the fees as indicated above, or credit any overpayments, to **Deposit Account No. 50-0206**.

SUBMITTED BY		Complete (if applicable)	
Typed or Printed Name	Jeffrey T. Perez	Registration No.	52,110
Signature		Date	September 27, 2004

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Application No. 09/914,765  
Attorney Docket No. 60123.0000002  
Confirmation No.: 4417

1651

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent Application of:

CHRISTENSEN, Preben et al.

Serial No.: 09/914,765

Filed: September 5, 2001

Group Art Unit: 1651

Examiner: Sandra Saucier

For: DETERMINATION OF SPERM CONCENTRATION AND VIABILITY FOR  
ARTIFICIAL INSEMINATION

**Mail Stop RCE  
Commissioner for Patents  
Alexandria, VA 22313-1450**

Sir:

**Amendment Under 37 C.F.R. 1.111**

**Introductory Comments**

In addition to the Response filed on February 27, 2004, the Information Disclosure Statement refiled February 27, 2004 and the Declaration by Preben Christen and Torben Greve, and in view of the March 9, 2004 Advisory Action, Applicants also provide the attached Amendment to the Claims to replace all previous pending claims and several additional references in the accompanying IDS for consideration by the Examiner.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper. Please add claim 49. Following this amendment claims 1, 3-11, 14-45 and 49 will be pending.

**Remarks/Arguments** begin on page 8 of this paper.